

AMENDED IN SENATE JULY 1, 2015
AMENDED IN ASSEMBLY MAY 5, 2015
AMENDED IN ASSEMBLY APRIL 27, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 3

Introduced by Assembly Member Williams

December 1, 2014

An act to add Part 4 (commencing with Section 61250) to Division 3 of Title 6 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 3, as amended, Williams. Isla Vista Community Services District. The Community Services District Law authorizes the establishment of community services districts and specifies the powers of those districts including, among others, the power to acquire, construct, improve, maintain, and operate community facilities, as specified. Existing law authorizes the formation of the Isla Vista College Community Services District within the unincorporated area of Santa Barbara County known as Isla Vista for the performance of various services, including, but not limited, to public parks, police protection, and transportation facilities.

This bill would authorize the establishment of the Isla Vista Community Services District by requiring the ~~board~~ *Board* of ~~supervisors~~ *Supervisors* of the County of Santa Barbara to *submit a resolution of application to the Santa Barbara County Local Agency Formation Commission, and* place the question of whether the district

should be established on the ballot at the next countywide election. By imposing new duties on the County of Santa Barbara, this bill would impose a state-mandated local program. The bill would require the district, if established, to place the question of the imposition of a utility user tax on the ballot, and would provide that if a utility user tax is not passed by the voters of the district on or before January 1, ~~2027~~, 2023, the district would be dissolved. The bill would set forth the board of directors of the district and would specify the services that district would be authorized to provide, including, among others, the power to create a tenant mediation program and to exercise the powers of a parking district.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Isla Vista Community Services District.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) The Isla Vista community encompasses a population of ~~over~~
4 ~~20,000~~ approximately 15,000 residents situated within ~~an area~~
5 ~~comprising of less than one~~ approximately a half square mile of
6 land in Santa Barbara County. It is adjacent to the University of
7 California, Santa Barbara (UCSB) campus and its student
8 ~~population~~ population, of which approximately 8,000 students
9 reside in university owned housing. Including university property,
10 the area totals about ~~1,500~~ 1,200 acres. Isla Vista represents one
11 of the largest urban communities in California not governed as a
12 city.
13 (b) Isla Vista faces various challenges in local governance. As
14 a university ~~town~~, community, Isla Vista must accommodate the

1 service needs associated with its transient student population and
2 a predominantly renter-oriented community *while balancing the*
3 *needs of local homeowners and long-term residents*. Isla Vista's
4 situation is complicated by its unincorporated status, which limits
5 its local participation in managing public services and providing
6 needed public improvements.

7 (c) As an unincorporated area, various county agencies provide
8 services to the residents and businesses of Isla Vista. Since these
9 agencies must provide services throughout the whole county, Isla
10 Vista must compete for attention and funding for the services they
11 need. Isla Vista is represented at the county level by one of five
12 supervisors and is situated in the largest and most diverse
13 geographic *supervisory* district in the county. The Isla Vista
14 Recreation and Park District is the only local district providing
15 limited services exclusively to Isla Vista.

16 (d) There have been multiple attempts at achieving cityhood
17 for Isla Vista, however, ~~insufficient tax revenue prevents cityhood~~
18 ~~from being a viable solution~~. *cityhood has been denied for a variety*
19 *of reasons, including financial and political feasibility*. In 2003,
20 the Santa Barbara County Grand Jury found that establishing a
21 community services district would be the best governance option
22 to expand and improve services to Isla Vista, ~~however, no~~
23 ~~action was taken by the community at that time~~.

24 (e) Over the last year, the Isla Vista community has been faced
25 with many challenges due to tragic events, including multiple
26 ~~deaths injuries~~ from students falling off cliffs, ~~two multiple~~ violent
27 sexual assaults, ~~a riot, riots~~, a mass murder, and homicides that
28 have brought focus to the unique needs of Isla Vista that can only
29 be addressed by direct, local governance. Following these events,
30 a local coalition was formed to determine the best direction for
31 Isla Vista self-governance and the community services district has
32 garnered much local support.

33 (f) Additionally, following these events, many trustees on the
34 UC Santa Barbara Foundation Board expressed a strong desire to
35 support the chancellor and the university in efforts to create change
36 in Isla Vista, to ensure a safer and more enhanced community for
37 students. The UC Santa Barbara Foundation Trustees' Advisory
38 Committee on Isla Vista Strategies was formed to analyze the
39 conditions and dynamics of Isla Vista and develop mid- and
40 long-term recommendations to establish a viable, safe, and

1 supportive environment. Among their recommendations is that the
2 State of California create a Community Services District/Municipal
3 Improvement District in Isla Vista with potential powers of
4 infrastructure, utilities, garbage, police services, parks, recreation,
5 cultural facilities, fire, security, and roads.

6 SEC. 2. Part 4 (commencing with Section 61250) is added to
7 Division 3 of Title 6 of the Government Code, to read:

8
9 PART 4. ISLA VISTA COMMUNITY SERVICES DISTRICT

10
11 61250. (a) Notwithstanding Chapter 2 (commencing with
12 Section 61010) of Part 1, the Isla Vista Community Services
13 District may be established in accordance with this part. All other
14 provisions of this division shall apply to the Isla Vista Community
15 Services District upon its establishment, except as provided in this
16 part.

17 (b) (1) *On or before January 5, 2016, the Board of Supervisors*
18 *of the County of Santa Barbara shall file a resolution of application*
19 *with the Santa Barbara County Local Agency Formation*
20 *Commission, pursuant to subdivision (a) of Section 56654, to*
21 *initiate a comprehensive review and recommendation of the*
22 *formation of the district by the Santa Barbara County Local Agency*
23 *Formation Commission. The board of supervisors shall pay any*
24 *fees associated with the resolution of application.*

25 (2) *The Santa Barbara County Local Agency Formation*
26 *Commission shall complete the review no later than 120 days*
27 *following receipt of the completed resolution of application.*
28 *Notwithstanding any other law, the Santa Barbara County Local*
29 *Agency Formation Commission shall not have the power to*
30 *disapprove the resolution of application.*

31 (3) *Notwithstanding any other law, the resolution of application*
32 *filed by the board of supervisors pursuant to this subdivision shall*
33 *not be subject to any protest proceedings.*

34 ~~(b)~~
35 (c) (1) (A) ~~The board of supervisors of the County of Santa~~
36 ~~Barbara~~ shall place the question of whether the Isla Vista
37 Community Services District shall be established on the ballot at
38 the next countywide ~~election~~. ~~election following the completion~~
39 ~~of the review pursuant to subdivision (b).~~ If a majority of voters
40 within the boundaries of the district, as specified in subdivision

(d), vote in favor of the district, the district shall be formed in accordance with this part.

(B) The board of supervisors shall additionally place the candidates for the five elected positions on the initial board of directors of the district on the ballot at the same election at which the question of whether to establish the district is placed on the ballot.

(2) If the district is formed pursuant to paragraph (1), the board of directors of the district shall place a utility user tax on the ballot, pursuant to paragraph (9) of subdivision (e). If the voters of the district do not vote to impose a utility user tax within the district on or before January 1, 2027, 2023, the district shall be dissolved as of that date.

(e)

(d) Notwithstanding Chapter 1 (commencing with Section 61020), Chapter 2 (commencing with Section 61025), and Chapter 3 (commencing with Section 61040) of Part 2, the board of the directors of the district shall be composed as follows:

(1) (A) Five members elected at large from within the district for a term of four years: as follows:

(B) Four members shall be elected for terms of four years. For the first election of the board of directors of the district, two members shall be elected for a term of two years and two members shall be elected for a term of four years.

(C) One member shall be elected for a term of two years.

(2) One member appointed by the Board of Supervisors of the County of Santa Barbara for a term of two years for the first appointment following the creation of the district, and for a term of four years thereafter.

(3) One member appointed by the Chancellor of the University of California, Santa Barbara for a term of four years.

(4) There shall be no limit on the number of terms any individual may serve on the board of directors of the district, whether that individual is appointed or elected.

(d)

(e) The boundaries of the district shall be contiguous with the area known as County Service Area No. 31 within the County of Santa Barbara and shall additionally include the University of California, Santa Barbara.

(e)

(f) Section 61100 shall not apply to the district. The district may, within its boundaries, do any of the following:

(1) Finance the operations of municipal advisory councils formed pursuant to Section 31010.

(2) Create a tenant mediation program.

(3) Finance the operations of area planning commissions formed pursuant to Section 65101.

(4) Exercise the powers of a parking district, in the same manner as a parking district formed pursuant to the Parking District Law of 1951 (Part 4 (commencing with Section 35100) of Division 18 of the Streets and Highways Code).

(5) Contract with the County of Santa Barbara or the Regents of the University of California, or both, for additional police protection services above the level of police protection services already provided by either the County of Santa Barbara or the Regents of the University of California within the area of the district.

(6) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(7) Acquire, construct, improve, and maintain sidewalks, lighting, gutters, and trees. The district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent.

(8) Abate graffiti.

(9) Levy a utility user tax at a rate specified by the ~~governing~~ board of directors of the district pursuant to approval by a ~~2/3~~ ^{3/4} two-thirds vote in accordance with Section 2 of Article XIII C of the California Constitution.

~~(f)~~

(g) The district shall not have the power to organize, promote, conduct, or advertise programs of community recreation in the same manner as the Isla Vista ~~Parks Recreation and Recreation~~ Park District.

(h) *The district does not possess, and shall not exercise, the power of eminent domain.*

~~(g)~~

(i) As used in this part, the term “district” means the Isla Vista Community Services District formed pursuant to this part.

1 SEC. 3. The Legislature finds and declares that a special law
2 is necessary and that a general law cannot be made applicable
3 within the meaning of Section 16 of Article IV of the California
4 Constitution because of the unique community needs in the Isla
5 Vista area that would be served by the Isla Vista Community
6 Services District.

7 SEC. 4. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.